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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ATIN SPECIALTY INSURANCE
COMPANY FORMALLY KNOWN AS USF
INSURANCE COMPANY, A MICHIGAN
CORPORATION,

PLAINTIFF,

v.

NORTH BAY WATERPROOFING, INC.,
A CALIFORNIA CORPORATION;
DOUGLAS ROSS CORPORATION, INC.,
A CALIFORNIA CORPORATION,

DEFENDANTS.

) CASE No: CV 14-4056-RMW

) **[PROPOSED] ORDER GRANTING
DOUGLAS ROSS CORPORATION'S
MOTION TO SET ASIDE DEFAULT
AND/OR DEFAULT JUDGMENT**

) **[FRCP 55 (C) AND 60(B)]**

) **DATE: JANUARY 30, 2015
DEPT.: COURTROOM 6**

1 The Motion of Defendant Douglas Ross Corporation ("DRC") to Set Aside Default
2 and/or Default Judgment came on regularly for hearing on January 30, 2015 at 9:00 a.m.
3 in Courtroom 6 of the above-entitled Court, located at the San Jose Courthouse, 280
4 South 1st Street, San Jose, California, with Eileen Ridley having appeared on behalf of
5 DRC and Andrew King having appeared on behalf of Plaintiff Atain Specialty Insurance
6 Company. The Court, having considered the pleadings in this matter, and all papers
7 submitted in support of, and in opposition to, said Motion to Set Aside Default and/or
8 Default Judgment, and good cause appearing therefore, orders as follows:

9 **IT IS HEREBY ORDERED that**

10 Defendant DRC's Motion to Set Aside Default and/or Default Judgment is
11 **GRANTED** in its entirety. The entry of default by the clerk shall be set aside, and there
12 shall be no entry of default judgment against Defendant DRC. Accordingly, Plaintiff,
13 ATAIN SPECIALTY INSURANCE COMPANY's, Motion for Default Judgment is
14 hereby DENIED.

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17 DATE: _____, 2015

18 By: _____
19 HON. RONALD M. WHYTE
20 United States District Court Judge
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